

## **EXHIBIT “A”**

**In The Matter Of:**  
*Cohee v.*  
*Del. Dept of Corrections*

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*Officer Jason Russell*  
*September 13, 2017*

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*Min-U-Script® with Word Index*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DANIEL B. COHEE, )  
Plaintiff, ) No. 13-cv-1243-RGA  
v. )  
DELAWARE DEPARTMENT OF )  
CORRECTIONS; CARL C. )  
DANBERG; PERRY PHELPS; )  
CPT. M. RISPOLI; )  
LT. BAYNARD; SGT. JONES; )  
OFFICER JASON RUSSELL; )  
OFFICER MITCHELL; OFFICER )  
BOONE; OFFICER JOHN DOE; )  
OFFICER ERNEST A. )  
KEMP, JR.; OFFICER JAMES J. )  
JANUSIEWICZ; and CORRECT )  
CARE SOLUTIONS, LLC, )  
Defendants. )

Deposition of OFFICER JASON RUSSELL,  
taken pursuant to notice at the James T.  
Vaughn Correctional Center, 1181 Paddock Road,  
Smyrna, Delaware, beginning at 1:13 p.m. on  
Wednesday, September 13, 2017, before Jennifer  
M. Guy, Registered Professional Reporter and  
Notary Public.

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1 A. 2009 to 2012, early '12.

2 Q. So about three years or so?

3 A. Yeah, about three years.

4 Q. And was that continuous? Did you ever  
5 go on leave, come back?

6 A. No, it was continuous.

7 Q. And did you ever take any sort of  
8 FMLA, disability leave, anything like that?  
9 Extended vacation?

10 A. While here, no. It might have ran  
11 right at the beginning, but I had a child born  
12 while I was in the academy.

13 Q. So if you were gone from here for any  
14 time, it was because you had a child, and not  
15 an injury or something like that?

16 A. No.

17 Q. So back in 2012, which is the time of  
18 the incident in the complaint is alleged to  
19 have happened, what was your technical  
20 position? Was it a correctional officer?

21 A. Correctional officer.

22 Q. So at that time, who did you report  
23 to?

24 A. At that time, I worked down in maximum

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1 housing unit 23, and building sergeant was  
2 Sergeant Raynard Jones.

3 Q. And how many hours a week were you  
4 working at that point?

5 A. Forty hours a week.

6 Q. Any overtime?

7 A. No.

8 Q. And for that position, did you receive  
9 any training?

10 A. Other than the CEIT training at the  
11 academy.

12 Q. Can you talk about that a little bit?

13 A. Basically policy, and prepares you for  
14 day-to-day routines as far as working inside  
15 the institution, safety concerns, what to look  
16 for, how to interact with offenders.

17 Q. Is that, is it sort of like a course?  
18 Do you do that before you start working in the  
19 prison?

20 A. Yes.

21 Q. And how long does that run for?

22 A. I believe it's three months.

23 Q. And did you feel that that training  
24 adequately prepared you for everything that

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1 point, medical will let building staff know.  
2 But if it's not something that's court  
3 ordered, it's the right of that offender, if  
4 they've got it prescribed their sick call or  
5 an on-call provider or something like that.  
6 If they have it prescribed, they have the  
7 right to refuse it; they don't have to take  
8 it.

9 Q. If somebody is taking a prescription,  
10 they want to or it's court ordered, the  
11 process of administering that, does the  
12 medical staff come in and deliver it to the  
13 cell or do you take them to the medical staff?  
14 How does that happen?

15 A. It comes to the cell.

16 Q. So you wouldn't really have -- you  
17 wouldn't have any role in that?

18 A. No. The medical personnel -- all we  
19 do is escort them onto the tier. We walk them  
20 around by the cell door, hey, crack this door  
21 or open this one up, and they go down the  
22 line. They'll crack a door one at a time,  
23 hand them the medication, they'll take the  
24 medication, secure the door, move on to the

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1 next door.

2 Q. Do you remember Mr. Stroman ever  
3 needing medication or --

4 A. Not offhand, no.

5 Q. Do you remember Mr. Cohee?

6 A. Yes.

7 Q. And are you aware of whether he and  
8 Stroman had any concerns in general with each  
9 other?

10 A. No, ma'am.

11 Q. Hypothetically speaking, if an inmate  
12 came and told you they have concerns about the  
13 person they're being housed with, what would  
14 you do?

15 A. If they were in fear of their life or  
16 safety or well-being, I would immediately  
17 separate them. We have an interview room  
18 that's on the tier, you can separate them or  
19 pull them off the tier. The building sergeant  
20 would be notified, and then if it's a valid  
21 complaint or something not trying to be  
22 manipulated, the area lieutenant would move  
23 housing units, move them to a different tier,  
24 and separate the two individuals.

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1 Q. So you sort of take it up the line  
2 to -- I guess Sergeant Jones is who you were  
3 reporting to?

4 A. I believe he was the building sergeant  
5 on that day, yes.

6 Q. So if that situation would have  
7 happened, you would take it to Sergeant Jones?

8 A. Right.

9 Q. Do you remember the incident at all?

10 A. Yes, ma'am.

11 Q. So I just want to sort of get a  
12 timeline from your perspective of how that all  
13 went down. You can start from the morning of  
14 that day and just take me through.

15 A. It was a normal day. We came in on  
16 shift, doing area shifts. There was no  
17 issues, nobody complaining of, you know, as  
18 far as offenders on the tier, no issues, just  
19 a normal, regular running day. I can't  
20 remember if we did yard in the morning. But  
21 then we moved on to chow time.

22 Two building staff go up to 24,  
23 the initial building you enter before it spins  
24 into the three buildings. There was A chow



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1           Q. That's fine. So then pick up where  
2 you left off with them getting back and being  
3 secured.

4           A. So C Tier is out of the building, up  
5 in the chow hall. We hear a faint banging.  
6 So we come off C Tier, we're trying to figure  
7 out -- because it echoes inside the building;  
8 you can't pinpoint it right offhand. So we're  
9 looking, look on the tiers, doesn't seem to be  
10 any sign. We go around the B Tier, and I see  
11 the whole entire lowers, their faces are in  
12 the window, and they're like, Russell, you  
13 need to go upstairs.

14                       So we get on the pod, I get up  
15 there to upper C. The entire glass pane has  
16 blood all over it, but you can still somewhat  
17 see in the glass, but you can visibly tell  
18 there's an issue. So call for the control pod  
19 to crack the door. I have my partner, I  
20 believe it was -- I can't remember his name  
21 now, the sergeant that was on the tier with  
22 me. He foots the door so it doesn't swing all  
23 the way open in case there's, you know,  
24 something that's going to be coming out of the

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1 room, you know what I mean? Look in there, I  
2 see Cohee with a towel wrapped up around his  
3 hand, and Stroman is crouched down where all I  
4 see is his back facing the wall away from me  
5 at the end of the room. So Cohee, I tell him,  
6 Take the towel off your hand, I don't know if  
7 you have a weapon. There's obviously blood;  
8 there's blood everywhere. I'm not going to  
9 pull you out until I can secure this, make  
10 sure you don't have anything that's going to  
11 injure me or my partner on the tier.

12 So he takes the towel off his  
13 hand, immediately starts squirting blood. So  
14 I tell him to wrap the towel back up, keep it  
15 tight, try to keep pressure on it. Pull him  
16 out of the pod, take him down to the shower to  
17 secure him in the shower, get him out of  
18 there. Once I take him down to the shower  
19 secure, I tell him, Don't wash, this is all  
20 evidence, there's obviously been a fight. At  
21 that time, he's not irate, but he's irritated,  
22 you know; he just got in a fight. So he's  
23 secured in the shower.

24 Go back, I get Stroman out, cuff